

SELF SERVICE CENTER

PROCEDURE: HOW TO SERVE THE COURT PAPERS BY PUBLICATION

STEP 1: PUBLISH THE COURT PAPERS.

- A. How to serve the court papers by publication if you do not know if the other party lives in the county in which your case is pending (Maricopa County) and/or the other party's last known address was not in Arizona.

1. IF YOU ARE PAYING THE COSTS TO PUBLISH, USE ANY PAPER OF GENERAL CIRCULATION

OR,

2. **CONTACT THE RECORD REPORTER.** Call 602-417-9900 to find out the amount the money order needs to be made out for. Ask the Clerk of the Court where to find the **DROP BOX**, then drop a copy of the attached letter, the documents you filed with the Clerk, and a money order attached in the drop box. If you are asking to have a Summons in a divorce case published, the money order should be for the amount of \$65.33, made payable to The Record Reporter.

OR,

3. **IF YOU HAVE A COURT ORDER WAIVING/DEFERRING SERVICE COSTS: CONTACT THE RECORD REPORTER** (602-417-9900). Ask the Clerk where to find the **DROP BOX**, then drop a copy of the attached letter, the documents you filed with the Clerk, and the Certified Order Waiving Publication Fees in the drop box.

Notice: There is a filing fee for all Petitions and there are Service Fees. You may request a **"Waiver or Deferral"** of the Filing Fees (and the Sheriff's Service Fees if you intend to use the Sheriff's Office for service) or publication fees at the time you file your papers with the Clerk of the Court.

- B. How to publish service if the other party's last known address is in Arizona and that address is not in the county in which your case is pending:

1. You must publish in the county in which your case is pending and you must publish in a newspaper in the county of the last known residence of the person to be served.
2. To publish in Maricopa County follow the instructions in "A" above how to publish service of process if the other party lives in the same county in which your case is pending.
3. To publish in another county (not Maricopa County) you will need to contact a newspaper company in that county.

STEP 2: **WAIT.** Wait for the newspaper to send you the original of the document called **“AFFIDAVIT OF SERVICE”** in about five weeks.

STEP 3: COMPLETE YOUR PAPERWORK:

- A.** **Fill out** the **AFFIDAVIT SHOWING CIRCUMSTANCES WHY SERVICE BY PUBLICATION WAS USED AND ABOUT THE PUBLICATION** document which is attached.
- B.** **ATTACH** a copy of the published notice from the newspaper(s).
- C.** **KEEP A COPY** for yourself of the **AFFIDAVIT SHOWING CIRCUMSTANCES WHY SERVICE BY PUBLICATION WAS USED AND ABOUT THE PUBLICATION.**

STEP 4: FILE THE COURT PAPERS:

- A.** File the original of the **AFFIDAVIT OF CIRCUMSTANCES WHY SERVICE BY PUBLICATION WAS USED AND ABOUT THE PUBLICATION**, and a copy of the publication(s), and;
- B.** File the original **“AFFIDAVIT OF SERVICE”** you received from the newspaper(s).

STEP 5: COUNT:

- A.** Find out the date the other party was served with the court papers. You can find this date by looking at the date of the first newspaper publication. Then, count the days for the other party to file a Response or Answer. (When counting down the days, start counting with the day after the first day of publication.)
- B.** If the other party does not file a Response or Answer within the required time period, read the default packet checklist to see if it applies.
- C.** If the other party files a Response or Answer, see a lawyer for help.

DO NOT BRING CHILDREN TO COURT.

Print Name

Print Address

_____, 20____
Date

Name of Newspaper

Address

To Whom It May Concern:

I need to publish notice in the newspaper about the following matter: Court Case No. _____

Enclosed is a copy of the following documents stamped by the Clerk of Court (list all the documents here:)

1. _____
2. _____
3. _____

Please publish a Notice in your newspaper about this court case once a week for four successive weeks. Also enclosed is (check one box):

- ☐ A check or money order in the amount of \$ _____ for the cost of the publication as requested.
☐ A certified copy of the Order from the court waiving the publication costs.

When you receive this letter, please call me at _____ to tell me when the first publication will occur. When all four weeks of publication have been completed, please send to me the original and one copy of an Affidavit of Publication.

Thank you for your help in this matter.

Yours truly,

Sign your name

Enclosures:

- ☐ Court documents AND
☐ Check or Money Order OR
☐ Certified copy of Court Order of Waiver/Deferral of Publication Fees